

COUNCIL MINUTES

July 2, 2001

The City Council of the City of Mesa met in a Study Session in the lower level meeting room of the Council Chambers, 57 East 1st Street, on July 2, 2001 at 4:22 p.m.

COUNCIL PRESENT

Mayor Keno Hawker
Jim Davidson
Bill Jaffa
Dennis Kavanaugh
Pat Pomeroy
Claudia Walters
Mike Whalen*

COUNCIL ABSENT

None

OFFICERS PRESENT

Mike Hutchinson
Joe Padilla
Barbara Jones

*Councilmember Whalen participated in the entire meeting by use of teleconferencing equipment.

1. Review items on the agenda for the July 2, 2001 Regular Council Meeting.

All of the items on the agenda were reviewed among Council and staff with no formal action taken. There was specific discussion relative to the following items:

Mayor Hawker declared a potential conflict of interest on agenda item 4d (Falcon Field Airport Parallel Taxiway and Apron) and said he would refrain from discussion/participation in this item.

Vice Mayor Davidson declared potential conflicts of interest on agenda items 4g (One-year contract for commodity natural gas supply) and 6e (Z01-28, Generally ½ mile west of Recker Road and ½ mile north of Thomas Road) and said he would refrain from discussion/participation in these items.

Councilmember Jaffa declared a potential conflict of interest on agenda item 6a (Z01-14, The northwest corner of East McDowell Road and Ramada) and said he would refrain from discussion/participation in this item.

2. Hear a presentation from the FAA on Sky Harbor flight path proposals.

City Manager Mike Hutchinson advised that staff recently received the Federal Aviation Administration's (FAA) Environmental Assessment Northwest 2000 Plan Supplemental Draft (EA-Supplemental Draft) and he voiced appreciation to the FAA for agreeing to address the Council regarding this matter on short notice.

Gus Nezer, FAA Phoenix Air Traffic Manager, addressed the Council and provided a brief historical background relative to this agenda item. He advised that Northwest 2000 (NW 2000) is the Phoenix contribution to the National Airspace Redesign program, which is the result of a congressional mandate to the FAA to address problems within the national airspace system. He noted that NW 2000 only addresses flights in the northern portion of the Phoenix area (north of Phoenix Sky Harbor Airport) and that the southern portion will be addressed at a later time.

Mr. Nezer stated that the goal of NW 2000 is to deconflict the existing routes to increase the margin of safety and to reduce departure delays at Phoenix Sky Harbor Airport (PSHA). He reported that PSHA is now the 5th busiest airport in the world; that all of the routes have been in place for decades; that the current routes do not allow for safe and efficient air traffic control service; and that due to increasing route conflict problems centered in an airspace area approximately 200 miles northeast of Phoenix (managed by Albuquerque Center), resultant air traffic delays are imposed daily upon PSHA.

Mr. Nezer stated that the NW 2000 Plan is comprised of three alternatives; that Alternative 1 represents the status quo; that Alternative 2 was proposed by the FAA approximately three months ago followed by a 45 day public comment period; and that Alternative 3, contained in the EA-Supplemental Draft, is a recently proposed plan resulting from input received during the 45 day comment period of Alternative 2.

Mr. Nezer referred to graphics on display in the Council Chambers that depicted daily aircraft operations in the Phoenix area including current PSHA departure routes and arrival routes. He commented on the fact that a significant percentage of PSHA departure routes are eastbound in the morning due to the corresponding percentage of north-eastern destinations, and that the opposite is true for westbound arriving flights in the evenings; the fact that eastbound departing aircraft traverse a four mile long, one mile wide gate along the Salt River, honoring the intergovernmental agreement between the Cities of Phoenix and Tempe (known as the 4DME gate), before continuing on their route; and that a significant amount of airspace surrounding Phoenix is protected military airspace.

Mr. Nezer referred to graphics on display and commented on the departure and arrival flight paths that affect Mesa in Alternatives 1 and 2.

Mr. Nezer discussed the flight path changes proposed in Alternative 3 and said that the primary change in this alternative is that the departure procedures for the Chily and Silow departures (developed in conjunction with Alternative 2) were extended east several miles, following the Salt River corridor (in alignment with the existing St. Johns Departure) before turning north.

Mayor Hawker voiced strong opposition to Alternative 3, particularly rerouting of the Chily and Silow departures, and stated that it results in a disproportionate amount of flights traversing the northern border of Mesa. He stated that the FAA's interpretation of previous Council input relative to flight paths paralleling the Salt River is incorrect and he clarified that the Council's comments related to existing flight paths only. He commented on the FAA's noise modeling study and stated the opinion that Alternative 3 will negatively impact residents of northeast Mesa.

In response to concerns and opposition voiced by Mayor Hawker, Mr. Nezer stated that route changes contained in Alternative 3 are a result of public input to Alternative 2, which requested that routes traverse the most sparsely populated areas and along the Salt River corridor, as opposed to the densely populated areas of Scottsdale and the Salt River Pima Indian Community.

Discussion ensued regarding the 4DME gate and flight path turning points.

Mr. Nezer advised that although the EA-Supplemental Draft indicates that eastbound departing flights will follow the Salt River corridor to a turning point in the area of Power Road, due to turn anticipation angles, turns will actually commence in the vicinity of Val Vista Drive.

Councilmember Walters voiced concerns regarding the fact that no public meetings were held in Mesa; the fact that FAA previously advised the Council that there would be no meetings in Mesa due to the fact that no procedural changes were proposed within the boundaries of the City; and the fact that the only option for Mesa residents at this point is to submit comments in writing. She concurred with Mayor Hawker's remarks regarding the intent of the Council's previous comments with respect to flights following the Salt River corridor and commented on the "wandering" that occurs in connection with flights along this corridor.

Mr. Nezer reiterated the fact that the public comment period of Alternative 3 will remain open until July 25, 2001.

Mayor Hawker and Councilmember Walters voiced concerns regarding the fact that public meetings were held in other communities and not in Mesa.

Vice Mayor Davidson stated the opinion that public meetings provide an opportunity for citizens to ask questions, provide input and better understand the ramifications of the proposed alternatives.

Discussion ensued regarding ground level noise monitoring devices utilized by the FAA and the location of permanent devices in Mesa.

In response to a question from Vice Mayor Davidson, Gerald Pennington of the FAA stated that the City of Phoenix manages the permanent noise monitoring devices and that data/information is available upon request.

Discussion ensued regarding the use of radar vector and radio navigation in connection with flight paths.

Councilmember Pomeroy stated that due to the complex, technical nature of this issue, he is supportive of retaining a consultant to assist the City in analyzing and responding to the alternatives proposed by the FAA.

In response to questions from Mayor Hawker, Mr. Nezer stated that the FAA is happy to work directly with City staff, or with consultants, and will attempt to provide all information requested. He said that Alternative 3 does not represent the FAA's conclusion in this matter and he encouraged the City to provide input.

Mayor Hawker voiced appreciation to Mr. Nezer and Mr. Pennington for agreeing to address the Council on short notice.

Councilmember Kavanaugh acknowledged the need to modify existing routes to improve safety. He urged the FAA to work with the City during the comment period to ensure that Mesa residents have a clear understanding of the effects Alternative 3 will have on the City.

Councilmember Jaffa concurred with the comments of Councilmember Pomeroy regarding the need for additional analysis and consultant input in this matter. He commented on the importance of expanding the role of Williams Gateway Airport as a reliever airport to PSHA with respect to cargo and passenger traffic. Councilmember Jaffa voiced concerns regarding the disparity of flights over Mesa proposed with Alternative 3; the effects of increased aircraft traffic on the environmentally sensitive areas of Red Mountain Ranch and Desert Uplands; and the short time frame for resolution of this matter under the FAA's proposed implementation date of November 11, 2001.

Councilmember Whalen stated that his constituents in District 2 would be largely affected by this matter and reported that he received numerous calls in opposition to Alternative 3. He voiced support for conducting a public meeting regarding this matter.

Mayor Hawker stated that it is the consensus of the Council that the City retain a consultant in this matter and directed staff to proceed accordingly.

3. Hear a presentation on the Spook Hill Area Drainage Master Plan Study.

Mayor Hawker stated that due to time constraints, this agenda item will be discussed at a future meeting.

4. Discuss and consider a Memorandum of Understanding between the City of Mesa and Ultimate Imaginations, Inc. regarding the Mesa Sculptures Capital Campaign.

Deputy City Manager Debbie Dollar addressed the Council and stated that the Memorandum of Understanding (MOU) provided to Councilmembers is the latest version of an agreement between the City and Ultimate Imaginations, Inc. (UII) for managing the Mesa Sculptures Capital Campaign. She reported that funding is budgeted to begin in FY 2001-02 and noted that although the Council approved this program during FY 2000-01, there was no determination by the Council regarding when City funding would begin.

In response to questions from Mayor Hawker regarding in-kind contributions, Ms. Dollar advised that the MOU provides that in-kind contributions will be subject to the Selection Panel approval process; that in the absence of agreement regarding value, an appraisal will determine the value of the piece being donated; and that in-kind statue contributions secured directly by the City are not addressed in the MOU.

It was moved by Councilmember Pomeroy, seconded by Vice Mayor Davidson, that the Memorandum of Understanding between the City of Mesa and Ultimate Imaginations, Inc. regarding the Mesa Sculptures Capital Campaign be approved.

Councilmember Jaffa voiced concerns regarding in-kind contributions; that in-kind contributions secured by the Campaign are unlimited; and that the City is not afforded the same credit for in-kind contributions.

In response to a question from Councilmember Walters regarding provisions in the MOU for maintenance and other expenses borne by the City, Ms. Dollar stated that section V (A) of the MOU sets forth that that the City will provide routine maintenance, and that expenses for maintenance beyond the expertise of City personnel shall be paid from Campaign funds.

Councilmember Walters emphasized the importance of including local artists in the program.

Tom Verploegen, Executive Director of the Mesa Town Center Corporation, stated the opinion that private sector cash contributions secured by the Mesa Sculptures Capital Campaign Committee (Committee) will exceed \$600,000 and suggested that the MOU be amended to provide that the City match cash contributions only. He noted that the Committee supports including donations in the program to increase the number of statues acquired for display.

Discussion ensued regarding amending the MOU in accordance with Mr. Verploegen's statements.

Councilmember Pomeroy voiced concerns regarding the prior acceptance of an in-kind statue donation (Wolfswinkel statue) based upon representations to the donor that the City would match the donation.

Councilmember Whalen stated that although he is generally supportive of this agenda item, he concurs with the comments of Councilmember Pomeroy.

Councilmember Kavanaugh voiced support for this agenda item and stated that the MOU identifies rights and obligations of both parties and protects citizens' interests. He urged the Council to consider the overwhelming support exhibited by the private sector regarding this program when considering future issues related to public art and cultural programs.

Former Mayor Wayne Pomeroy concurred with the opinion stated by Mr. Verploegen that Campaign donations secured by the Committee will exceed \$600,000 and stated that although the in-kind donation previously accepted by the City represents an obligation, it is moot based upon the fact that cash contributions will exhaust the City's match limit.

In response to a question from Mayor Hawker regarding the Sculptures in the Street program, Mr. Verploegen advised that the programs are separate and that the Campaign is in addition to the Sculptures in the Street program.

Mayor Hawker voiced opposition to obligating the City to contribute \$600,000 to the Mesa Sculptures Capital Campaign and voiced his support for continuing the annual \$10,000 contribution to the Sculptures in the Street program.

Councilmember Walters stated that she supports honoring the commitment to match the prior in-kind contribution (Wolfswinkel statue) and suggested that the City agree to match cash contributions only in the future, and that the MOU be amended accordingly.

It was moved by Councilmember Pomeroy, seconded by Vice Mayor Davidson to amend the motion to provide that the Memorandum of Understanding between the City of Mesa and Ultimate Imaginations, Inc. regarding the Mesa Sculptures Capital Campaign, be approved as amended, to honor the City's commitment to match the prior in-kind contribution and match cash contributions only in the future.

Discussion ensued regarding the fact that the actual selection of individuals to serve on the Selection Panel is not being addressed at this time.

Upon tabulation of votes, it showed:

AYES - Davidson-Jaffa-Kavanaugh-Pomeroy-Walters-Whalen
NAYS - Hawker

Mayor Hawker declared the motion carried by majority vote.

5. Discuss and consider changes to the City's budget process and the budget presentation materials.

Mayor Hawker stated that due to time constraints, this agenda item will be discussed at a future meeting.

6. Appointments to boards and committees.

Mayor Hawker recommended the following appointments to Boards and Committees:

MESA 2025 – A SHARED VISION

Diane M. Lancaster (to replace Ivan Makil; resignation of Robert Napodano also noted)

It was moved by Councilmember Pomeroy, seconded by Councilmember Kavanaugh, that the Council concur with the Mayor's recommendation and the appointment be confirmed.

Carried unanimously.

7. Hear reports on meetings and/or conferences attended.

Mayor Hawker stated that due to time constraints, this item will be continued to a future meeting.

8. Scheduling of meetings and general information.

Mayor Hawker stated that due to time constraints, this item will be continued to a future meeting.

9. Prescheduled public opinion appearances.

There were no prescheduled public opinion appearances.

10. Adjournment.

Without objection, the Study Session adjourned at 5:50 p.m.

KENO HAWKER, MAYOR

ATTEST:

BARBARA JONES, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the City Council of Mesa, Arizona, held on the 2nd day of July 2001. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 2001.

BARBARA JONES, CITY CLERK

pjt